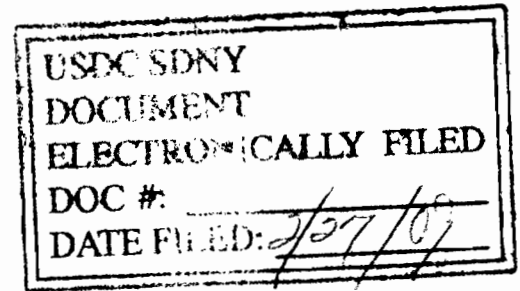


# **EXHIBIT F**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES COURTHOUSE  
500 PEARL STREET  
NEW YORK, NY 10007-1581  
(212) 805-0246

SHIRA A. SCHEINDLIN  
UNITED STATES DISTRICT JUDGE



February 27, 2009

Eric H. Holder Jr.  
United States Attorney General  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Re: Certification of Issue Drawing into Question the Constitutionality of a  
Federal Statute in Merced Redevelopment Agency v. ExxonMobil Corp. et  
al., No. 08-Civ.-6306.

Dear Attorney General Holder:

Pursuant to section 2403(a) of title 28 of the United States Code, this Court hereby certifies to the Attorney General the fact that the constitutionality of an Act of Congress affecting the public interest has been drawn into question in litigation before this Court. Attached please find an order explaining the issue, the briefing from the parties and supporting exhibits. Pursuant to Federal Rule of Civil Procedure 5.1, the Attorney General may intervene within 60 days from the date of this certification.

Sincerely,

Shira A. Scheindlin  
U.S.D.J.

cc: James L. Cott  
Chief of the Civil Division  
United States Attorney's Office  
Southern District of New York